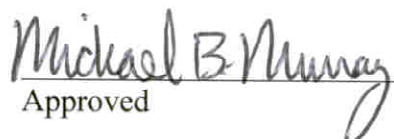


CAPE HATTERAS NATIONAL SEASHORE

COMPENDIUM of designated closures, permit requirements and other restrictions imposed under the discretionary authority of the Superintendent of the Outer Banks Group.

Under the provisions of 16 U.S.C., Section 3, Title 36, Code of Federal Regulations, Chapter 1, Parts 1-7, the following Superintendent's Orders (COMPENDIUM) are established for Cape Hatteras National Seashore. Unless otherwise noted, these orders apply in addition to the provisions contained in Parts 1-7 of Title 36 CFR.

 5/31/06
Recommended Date

 5/31/06
Approved Date

Part 1 -- GENERAL PROVISIONS:

Section 1.5 Closures and Public Use Limits.

- 1.5(a)1 Posted bird areas are closed to all public use and entry. Posted turtle nest areas are closed to vehicular entry, including commercial fishing vehicles; pedestrian activities are restricted to the mean high water mark or lower. No ground fires are allowed in posted turtle nest protection areas. Posted sea beach amaranth sites are closed to public use and entry.
- 1.5(a)1 No operation preparatory to, during, and subsequent to the taking of fish by any means if the primary purpose of the taking is to sell fish may originate from, be conducted on, or terminate on the beach bordering the "Oregon Inlet North Shore Pond."
- 1.5(a)1 Personal watercraft launching or landing on any lands or boat ramps within the boundaries of Cape Hatteras National Seashore is prohibited. Personal watercraft may not be towed on trailers on ocean beaches within the boundaries. Personal watercraft operation on waters within the boundaries of the Seashore is prohibited. This prohibition does not apply to personal watercraft operated by duly authorized federal, state, or local law enforcement and emergency response agencies whose jurisdictions lie within or adjoin Cape Hatteras National Seashore boundaries and when engaged in training, enforcement or search and rescue activities.
- 1.5(a)1 Vehicles restrictions, including closures, will be applied during May 15 through September 15 to beach areas in front of villages, on lifeguarded beaches, and on the beaches adjacent to National Park Service Ocracoke campground, or other posted areas.
- 1.5(a)1 All vehicles parking at the Whalebone Information Center are required to park in the designated parking spaces on the paved surface.

- 1.5(a)1 Unauthorized vehicles and pedestrians are not permitted on the aircraft parking ramps or runways of the Billy Mitchell airstrip (Frisco) or the Ocracoke airstrip (Ocracoke).
- 1.5(a)1 The mooring of a boat for more than 14 days between Memorial Day and Labor Day at the docks at Silver Lake Marina, Ocracoke is prohibited.
- 1.5(a)1 Parking at the Ocracoke boat ramp parking lot is limited to 72 hours after which all vehicles (including boat trailers, recreational vehicles, etc.) must be removed for at least 24 hours.
- 1.5(a)1 Public use and entry into the enclosed horse pasture on Ocracoke Island is prohibited.
- 1.5(a)1 Zone 1(a) Seasonally Closed Areas.
- a. Those Zone 1 areas which by reason of seasonal heavy pedestrian, swimming, wildlife, or other use are deemed seasonally unsuitable for ORV use.
- b. Seasonally closed areas shall be identified by signs at both ends of the area, and shall be indicated on maps available for viewing at the offices of the Superintendent and of each District Ranger.
- c. Dates of seasonal closure shall be May 15 through September 15 of each year, except that on Pea Island National Wildlife Refuge, the Refuge Manager shall post such closures as he may find necessary to implement the regulations of the U.S. Fish & Wildlife Service.
- d. Seasonally closed areas shall consist of but not be limited to the following areas: Bodie Island, Ramp 1 to 0.6 miles south of Ramp 2; beach areas fronting villages of Rodanthe, Waves, Salvo and Avon; northern boundary of Buxton to Ramp 43; beach fronting the villages of Frisco and Hatteras; and on Ocracoke Island milepost 67 to 70.
- 1.5(a)2 Waterfowl hunters 16 years old or younger must produce a valid Hunter Safety certificate to invoke parent/guardian hunter license privilege and be accompanied by a properly licensed adult hunter 21 years or older.
- 1.5(a)2 The cleaning of fish except at locations designated for such purposes is prohibited. Fish remains must be properly removed from the beach area.
- 15(a)2 All campgrounds are closed for certain periods of low visitation during the spring, winter and fall of each year. Closure dates may vary from year to year.
- 1.5(a)2 The flying of all types of kites is prohibited within 150 feet of any overhead lines regardless of land or water surface (i.e., Haulover Beach, Sandy Bay). Flying of all types of kites is prohibited within 600 feet in or above any resource closure.

- 1.5(a)2 The flying of kites is prohibited on the beach adjacent to all designated park airstrips (i.e., Billy Mitchell, Wright Brothers, Ocracoke)

Section 1.6 Permits.

Permits are required for the following activities:

- Non-commercial soliciting(Section 2.37)
- Special events (Section 2.50)
- Public assemblies/meetings(Section 2.51)
- Sale/distribution of printed matter(Section 2.52)
- Business operations (Section 5.3)
- Commercial photography (Section 5.5)

PART 2 -- RESOURCE PROTECTION, PUBLIC USE AND RECREATION:

Section 2.1 Preservation of natural, cultural and archeological resources.

- 2.1(c) Reasonable quantities of the following may be gathered for personal use and consumption:

- Down and dead wood, including driftwood, for collection for fuel in camp-sites or beach fires.
- Pine straw and fallen pine cones
- Leaves of bayberry/wax myrtle and wild onion
- Edible fruits of wild grape, persimmon, blackberry, huckleberry, blueberry, mulberry, service berry, prickly pear cactus, and mushrooms.

Section 2.2 Wildlife protection.

- 2.2(e) All park areas are closed to the viewing of wildlife using artificial lights.

Section 2.3 Fishing

- 2.3(d)8 Fishing is allowed from the cat walks on the south end of the Bonner (Oregon Inlet) Bridge.

- 2.3(d)8 Fishing is allowed from the docks and bulkheads at Oregon Inlet Fishing Center.

Section 2.10 Camping and food storage.

- 2.10(a) Camping is permitted only in designated campgrounds. Camping on beaches is prohibited. From Memorial Day weekend through Labor Day weekend, all

camping is limited to 14 days within a 30-day period. At all campgrounds, campsite occupancy is limited to 6 persons per campsite. Exceptions: a family group (i.e. parents & children) of more than 6 individuals. No more than two camping units may occupy one campsite. All vehicles must be parked on the parking pad, not on the grass or extending into the roadway.

Section 2.13 Fires.

- 2.13(a)(1) Ground fires may be ignited and maintained seaward of the ocean dune below the high tide mark, but in no case less than 100 feet from a vegetated area. All fires must be no greater than 3 feet in diameter. Use of wooden pallets without nails intact are allowed. Any other non-wooden material is prohibited as fire burn material. No ground fires are allowed in posted bird or turtle nest protection areas.
- 2.13(a)2 Fires within designated campgrounds must be contained in grill, stove, or other self-contained unit and are allowed for cooking fires only.
- 2.13(b) All fires shall be extinguished upon termination of use and shall be considered extinguished when cold to the touch.

Section 2.15 Pets.

- 2.15(a)(1) Pets are prohibited in all resource closures, lifeguarded beach areas, the access boardwalks to the swim areas, and bath facilities in the immediate areas.
- 2.15(a)(5) Pet excrement disposal conditions include necessary removal of all pet excrement from all park areas.
- 2.15(b) Dogs used for hunting are required to be leashed going to and from the hunting areas.
- 2.15(e) Permanent park residents not in shared housing may keep pets in accordance with 36 CFR 2.15. Pets including dogs, cats, and other domesticated pets shall be physically confined to the occupant's house or outside wire cage/pen. Pets including cats shall be restrained on a maximum 6-foot leash or a leash attached to a run line when outside of the residence.

Section 2.16 Horses and pack animals.

- 2.16(b) Horses may be ridden or used only in the following designated areas:
 - On the beach seaward of the existing dunes.
 - On vehicular beach access routes.
 - Along road shoulders or across paved routes where travel is necessary to cross to or from beach access routes.
 - On trails designated by Individual Business Permits or Special Use Permits.

- Prohibited in resource closures.

Section 2.20 Skating, skateboards and similar devices.

The use of roller skates, skateboards, roller skis, in-line skates, coasting vehicles, and similar devices is prohibited.

Section 2.21 Smoking.

Smoking is prohibited in the following areas:

- All government buildings
- All government quarters except in designated unshared, non-historic frame units
- All government vehicles

Section 2.35 Alcoholic beverages and controlled substances.

2.35(a)3i Bodie Island Hunting Blinds are closed areas for the consumption, use and possession of alcohol.

Section 2.51 Public assemblies, meetings.

2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades, and other public expression of views are allowed in designated park areas provided a permit has been issued by the Superintendent.

Part 3 -- BOATING AND WATER USE ACTIVITIES

Section 3.6 Prohibited operations.

3.6(e) The following areas are designated as swimming beaches from Memorial Day weekend to Labor Day—

- Bodie Island – Coquina Beach
- Hatteras Island – Frisco
- Ocracoke island – North of Ramp 70

3.6(h) Use of trailer to launch or recover vessels is permitted at designated launch sites.

3.6(i) Designated launch sites for non-commercial recreational boats/vessels propelled by machinery—

- Bodie Island: Oregon Inlet Fishing Center, Mile Post 46 Soundside, Ramp 23.
- Hatteras Island: Cable Crossing
- Ocracoke Island: Marina parking area, Prong Road, Ramp 72, South Point Road

Part 4 -- VEHICLES AND TRAFFIC SAFETY

Section 4.2 State Law Applicable.

- 4.2(a) Vehicles operated on park roads, parking areas, routes designated for off-road use, and all other areas of the park must meet all requirements including all vehicle equipment, licenses and registration, to operate legally on state highways where the vehicle is registered.
- 4.2(a) Vehicle operators shall have a current state driver's license.

Section 4.10 Travel on Roads and Designated Routes.

- 4.10(a) Vehicular access to beach or sound side vehicle areas by other than marked and maintained vehicle access routes is prohibited.
- 4.10(a) All off-road traffic on Pea Island National Wildlife Refuge is prohibited.

Section 4.21 Speed limits.

- 4.21(b) Speed limit on park beaches is 25 mph unless otherwise posted. Speed limit in front of villages during off season (September 16 through May 14) on park beaches posted at 10 mph.

CAPE HATTERAS NATIONAL SEASHORE JUSTIFICATIONS:

Justification for restrictions, closures and public use limits established by the Superintendent, Outer Banks Group, pursuant to 16 U. S. Code, Section 3, and Title 36, U. S. Code of Federal Regulations, Chapter 1, Parts 1 – 7:

Cape Hatteras National Seashore was the first of a series of national seashores established to preserve significant segments of unspoiled barrier islands along the Atlantic and Gulf Coasts. The Seashore includes over 70 miles of barrier beach extending from Nags Head to Ocracoke Inlet, North Carolina.

Section 1.5 - CLOSURES AND PUBLIC USE LIMITS

Bird nesting areas are marked and posted against entry during the nesting period to prevent the loss of eggs and chicks through disturbance by persons and their pets. Visitors entering a nesting area cause the parent birds to leave their nests in an attempt to frighten away the intruders. Exposed to the direct rays of the sun, the fertile eggs and young chicks are quickly injured or killed. During the migration season, bird areas are closed to provide undisturbed feeding and resting sites for shorebirds.

Known turtle nest areas are closed to vehicular entry for a period of time before and after the projected hatch date of the eggs. This is to (1) prevent vehicles from driving over any emerging hatchlings and (2) prevent the formation of vehicle ruts which trap hatchlings exposing them to death or predation. Pedestrian activities are restricted from the upper sections of the beach in order to prevent egg loss from exposure or penetration (e.g., holes dug in the sand, erection of shade structures, volley-ball nets). Beach fires are prohibited in posted turtle nest areas to prevent hatchlings from crawling through fire pits.

Sea Beach Amaranth, a federally protected species, needs to be protected until its annual cycle is complete and seeds are produced.

Enhancement of Recreational Fishing: Cape Hatteras National Seashore was authorized by Congressional Act, H.R. 7022 on August 17, 1937, (50 Stat. 669). This Act provides that "... the legal residents of villages referred to in section 1 of this Act shall have the right to earn a livelihood by fishing within the boundaries to be designated by the Secretary of the Interior, subject to such rules and regulations as the said Secretary may deem necessary in order to protect the area for recreational use as provided for in this Act."

Geological processes have created a pond-like enclosure (hereinafter referred to as Oregon Inlet North Shore Pond) on the southern extremity of Bodie Island. The waters of the Oregon Inlet North Shore Pond typically are much calmer than the nearby Atlantic Ocean and, on occasion, are populated by large number of fish. When this occurs, both sport and commercial fishermen can catch or harvest the fish with much less effort or skill than would be required on the beach front. In the past two or three years, sport fishermen have complained that the activities of commercial fishermen in this area interferes with recreational use of the Oregon Inlet North Shore Pond.

In a public workshop held by the Cape Hatteras National Seashore in Manteo, North Carolina, on January 5, 1993, representatives of both sport and commercial interests agreed that as the Oregon Inlet North Shore Pond is particularly suited to recreational fishing, commercial fishing in the Oregon Inlet North Shore Pond should be eliminated. As the Oregon Inlet North Shore Pond is a temporary geographic feature, subject to daily change by wind and wave action, or becoming sand filled by a moderate storm with the right combination of wind and surf conditions, the Superintendent believes Title 36, United States Code of Federal Regulations, Section 1.5, Closures and Public Use Limits is the proper vehicle to close the Pond to commercial fishing. On February 16 a second workshop group, also consisting of representatives of both sport and commercial interests, agreed to the restrictions imposed by this compendium regulation.

As opposed to many cleaning products, fish wastes are absolutely biodegradable and can be eaten by other fish, birds and marine animals. However, when many fish are cleaned and the waste discarded into the same water area on the same day, such as at fishing tournaments, there can be a real disposal problem. Too much deteriorating fish waste on a small area of water is unsightly and can also result in extremely foul odors and decrease dissolved oxygen levels in the water column.

When you are near or on the shore or bank, it is recommended that you bag all fish remains and dispose of the bag in an appropriate garbage receptacle. Help keep the shoreline clean for others.

Use fish cleaning stations with trash receptacles where provided.

When fish cleaning and disposal areas are not provided (Ocracoke); all fish and fish remains must be removed from the beach. Bag all fish remains and dispose of bag in an appropriate garbage receptacle.

Personal watercraft operation poses considerable threats to estuarine flora and fauna, pollutes waters essential to commercial and recreational fishing in the park, poses unacceptable risk of injury to operators and bystanders, and conflicts with the majority of other longstanding uses of the Seashore. Personal watercraft use is an inappropriate use of the Seashore since noise generated by personal watercraft is an intrusion that is inconsistent with the "primitive wilderness" intent of the Seashore's enabling legislation.

During the heavier visitor use seasons (May through September), there are large numbers of people on beaches adjacent to villages, on lifeguarded beaches, on beaches adjacent to National Park Service campgrounds and in certain other posted areas. Vehicle traffic through heavy pedestrian use areas constitutes a danger to pedestrians.

Whalebone Information Center was established in order to provide information to the visiting public. In recent years the area has, on an increasing basis, become used as commuter "Park and Ride" with an increasing number of vehicles being parked and left all day. Earlier attempts to limit this practice and prevent commuter vehicles from using all the spaces for short term visitors has resulted in large numbers of vehicles parked on the grass, denuding the area, and preventing maintenance from mowing and other required grounds maintenance.

Prohibiting vehicles and pedestrians on the aircraft parking ramps and runways increases the safety of both pilots and visitors.

Limiting boat mooring to 14 days at Silver Lake Marina during the heavy visitor use season provides more boaters the opportunity to utilize the limited available space. The small Silver Lake Harbor receives many private and commercial boaters during a season, many of whom would like to use this facility for a month or more at a time. In addition, local residents like the convenience of leaving their boat overboard throughout the summer. Rationing the length of stay offers most visitors an opportunity to use the facilities.

Limiting parking at the Ocracoke boat ramp parking lot will allow for more park visitors an opportunity to use these limited facilities.

The prohibition of entry into the horse pasture is necessary to prevent injury to visitors by the horses and to the horses by visitors.

Waterfowl hunters 16 years old or younger must demonstrate their knowledge of hunter safety before hunting in designated areas.

Lack of winterized comfort stations, water and sewer systems, and vandalism, poaching and low demand for camping facilities, require that we close campgrounds during cooler months in the fall, winter, and spring. Opening and closing dates will vary in response to holidays, funding, availability of adequate staff, and other variables.

Ramp 45 can be accessed from Cape Point Road through the Cape Point Campground or from the Ramp 44 entrance. Heavy traffic to Ramp 45 through the campground, however, causes congestion on campground roads, disturbs campers, and poses traffic safety problems. For these reasons, use of the campground access is only permitted during the cooler fall and winters months when the campground is closed to camping. Additionally, poaching and vandalism frequently occur at night when this access is permitted through the campground. For these reasons, when access to Ramp 45 is allowed through the Cape Point Campground, access is restricted to the hours between 8:00 a.m. and 5:00 p.m. Unless restricted for other reasons such as flooding, public safety concerns, resource damage, etc., the Ramp 44 entrance on Cape Point Road can be used at all times to gain access to Ramp 45.

Section 1.6 – PERMITS

The cited sections of 36 CFR require the possession of a permit issued by the Superintendent before such activities may be conducted.

Section 2.1 – PRESERVATION OF NATURAL, CULTURAL AND ARCHEOLOGICAL RESOURCES

Those natural items enumerated are not endangered or rare, and are present in such quantities that the gathering or consumption thereof will not adversely affect park wildlife, reproductive potential of the species, or otherwise adversely affect park resources.

Section 2.2 - WILDLIFE PROTECTION

The use of artificial lights to poach park wildlife and disorient nesting turtles has been well documented. Therefore all park areas are closed to the viewing of wildlife using artificial lights.

Section 2.10 - CAMPING AND FOOD STORAGE

Many campers would prefer to camp a month or more at a time during the extremely crowded peak season. This severely limits the numbers of visitors that park campgrounds can accommodate. Limiting camping to 14 days during the heavy visitor use season provides more campers an opportunity to utilize the limited available facilities.

Limiting the maximum occupancy of campsites (with exceptions for large families) and the number of units and vehicles permitted on an individual site helps to provide a higher quality camping experience by lessening crowding, keeps sewage disposal facilities within design limits, maintains a grass cover on loose soil and prevents accidents caused by vehicles extending into the roadway.

Camping anywhere outside of designated campgrounds is prohibited. Designated campgrounds have been established to protect environment and limited public use conflicts. The determination of camping is the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, motor home or trailer, or mooring of a vessel for the apparent purpose of overnight occupancy. Any parked motor vehicle, motor home, trailer, or moored vessel in the park with one or more occupants not actively engaged in overnight recreational activity will be considered engaged in overnight occupancy.

Cleaning fish on picnic tables in the campgrounds and other locations creates unsanitary and noisome conditions in areas of high visitor use. The park has designated areas where fish may be cleaned but for reasons of convenience some visitors use areas within campgrounds or picnic areas for this purpose; therefore, a prohibition on cleaning fish on picnic tables and other locations is necessary.

SECTION 2.13 – FIRES

Restrictions on beach fires are necessary to protect park resources and adjacent landowners from wild fires caused by careless visitors building fires too close to highly flammable dune grass and not extinguishing completely. Use of water to extinguish fire is recommended.

Section 2.15 – PETS

Compendium item 2.15(e) allows permanent park residents the same opportunities to keep pets as they would have if they lived outside of the park bounds. Pets are to be confined or restrained at all times due to their potential negative impact on park resources, neighbors, and park employees. Pets are prohibited in lifeguarded beach areas, boardwalks, and bath facilities adjacent to these areas due to visitor use conflict and health and safety concerns. Removal of pet excrement is necessary due to health and sanitation.

Section 2.16 – HORSES AND PACK ANIMALS

Horseback riding and the use of pack animals is restricted to the areas specified in Compendium item 2.16 (b) to insure compatibility between visitor use, resource protection, and visitor safety. Use in areas not specified would cause unacceptable resource damage and or cause unacceptable risks to visitor safety.

Section 2.20 – SKATING, SKATEBOARDS AND SIMILAR DEVICES

All existing roads and other paved areas within Cape Hatteras National Seashore are high volume areas designated either for motor vehicles or pedestrian use. The mixing of skating, skateboards, and similar devices in those areas would present unacceptable risks to visitor safety and increase the potential for personal injury.

Section 2.21 – SMOKING

The restrictions on smoking are required and are in accordance with Federal Regulations, 41 CFR 101-20.105-3.

SECTION 2.35 - ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES

The consumption and possession of alcohol in hunting blinds is not conducive to accepted safe hunting practices.

Section 2.51 – PUBLIC ASSEMBLIES, MEETINGS

Public assemblies, meetings, gatherings, demonstrations, parades, and other public expression of views are allowed within park areas, provided a permit, therefore, has been issued by the Superintendent. Permits and directions for authorized Section 2.51 activities are available in the Superintendent's office. The designated areas on the map are hereby authorized for permitted activities provided no prior application for a permit for the same time and place has been made, that has been or will be granted, and the activities authorized by that permit do not reasonably allow multiple occupancy of that particular area.

Section 3.6 -- PROHIBITED OPERATIONS

The designated non-commercial recreational boat/vessel launching sites at Oregon Inlet Fishing Center and Ocracoke Marina parking area are two areas equipped with boat ramps and docks and are recommended sites to launch and retrieve boats. Allowing the launching and retrieving of boats/vessels at other than designated sites would cause unacceptable resource damage and/or cause unacceptable risks to visitor safety.

Due to unsafe conditions and visitor use conflicts (i.e., deep sand, surf conditions, crowded beach areas, and beach closures) soundside launching in other areas of the park is recommended between May 15 to September 15.

Prohibiting kites within 150 feet of overhead lines is necessary to prevent injury to kite flyers and kite boarders by shifting and gusting winds. Kites can scare birds off their nests leaving eggs and chicks exposed to predators and deadly heat.

Prohibiting kites on the beach adjacent to the Billy Mitchell Airstrip is necessary to ensure the safety of pilots and passengers flying in and out of the facility due to its proximity to the beach.

Section 4.2 -- STATE LAW APPLICABLE

36 CFR 4.2 states that traffic and the use of vehicles within a park area are governed by State law. Much of the Seashore's traffic and vehicle operations occur on unpaved beach access roads or on the beaches themselves. Application of State law in these areas is necessary to ensure proper licensing of drivers, proper registration of vehicles, safe operating condition of vehicles, and safe driving practices by motor vehicle operators.

Section 4.10 -- TRAVEL ON PARK ROADS AND DESIGNATED ROUTES

Vehicular access to beach or soundside vehicle areas by other than marked and maintained vehicle access routes is prohibited. Use of vehicles in areas not specified would cause unacceptable resource damage and/or cause unacceptable risks to visitor safety.

Pea Island National Wildlife Refuge is maintained for the protection of threatened and endangered species; therefore, vehicular driving is prohibited in order to protect the wildlife.

Section 4.21 -- SPEED LIMITS

The maximum speed allowed on beach and soundside vehicle areas is 25 mph. Speeds in excess of 25 mph could cause injury or damage to park resources and present a clear and present danger to the public's health and safety. In addition, excessive speed limits could unreasonably impair the atmosphere of peace and tranquillity maintained in wilderness and natural areas. The speed limit in front of the villages during the off season (September 16 through May 14) have been imposed due to public safety in these areas.